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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,126	11/05/2001	William H. Rogers	33034US1	4648

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EXAMINER

LE, UYEN T

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 05/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,126

Applicant(s)

ROGERS, WILLIAM H.

Examiner

Uyen T. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 10-18, 20-31 is/are rejected.
- 7) ☒ Claim(s) 7, 9 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment to the title is acknowledged. Consequently, objection to the title is withdrawn.
2. Applicant's explanations regarding the claimed SPaser are acknowledged. Consequently, rejection to claims 1-5, 10, 11 under 35 U.S.C. 112, first paragraph, is withdrawn.
3. Applicant argues that "retrieved data" is a descriptive term for data that is for retrieval. If that is applicant's intention, the examiner suggests that "retrieved" be cancelled because "retrieved data" is commonly understood as data that had been retrieved, not data for retrieval.
4. Applicant's arguments regarding Baber have been fully considered but they are not persuasive.

Regarding claim 1, applicant argues that Baber does not teach any system and method for generating a display presentation. In response, the examiner disagrees. The claimed display presentation broadly interpreted merely reads on the content page delivered to users in Baber (see the abstract). Note also that the content page in Baber has to be presented in a certain defined format.

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Applicant argues that Baber does not disclose a "web server" and serving "at least one applet to the user computer over said communication network". In response, the examiner disagrees. Baber clearly show a web server (see items 30, 44 in Figure 4) and applets served to the user computer over a communication network (see column 13, lines 30-40).

Applicant argues that column 6, lines 17-31 cited by the examiner do not show the claimed applets and that one skilled in the art would know that neither graphic nor multimedia is necessarily served by applets. In response, the examiner fully agrees that graphics and multimedia are not necessarily served by applets. However, Baber explicitly shows the use of applets (see column 13, lines 30-40). Furthermore, column 6, lines 17-31 shows that graphics and multimedia are requested from client computers. Therefore, Baber clearly discloses applets for graphs, tables and multimedia as claimed by applicant.

Applicant argues that Baber does not disclose a servlet engine. In response, the examiner disagrees. Baber clearly shows a servlet engine (see column 15, lines 40-45).

Applicant argues that Baber does not disclose an SParse application activated by the execution of a servlet. In response, the examiner disagrees. The claimed SParse merely interprets HTML template, thus is clearly present in the system of Baber since it interprets HTML templates (see Figure 30, column 15, lines 40-45). Furthermore, Baber shows the use of servlet (see column 15, lines 40-45). The SParse has to be activated by the execution of a servlet since it operates on the server.

Applicant argues that the web server serving HTML documents is different than a database server of claim 1. In response, the HTML documents are clearly stored in a database. Therefore, the web server is clearly a database server.

Regarding claims 3, 5, applicant argues that the examiner did not provide any legally sufficient motivation to make the modifications to Baber. In response, one of ordinary skill in the art supposedly knows something about the art apart what is explicitly taught in a reference and knows how to apply the principles taught in the reference to make improvements. As per claim 3, Baber teaches all the claimed subject matter except "a survey database". One of ordinary skill in the art is certainly motivated to use any database including a survey database in order to accommodate users applications. As per claim 5, Baber does not specifically show issuing SQL statements. However, it is notoriously well known in the art to store information in relational databases for easy retrieval. Therefore, it would have been obvious to one of ordinary skill in the art to include the claimed features while implementing the system of Baber in order to query relational databases.

Regarding claims 10, 11, applicant seems to argue the claims as amended. Applicant adds the limitation of display presentation including "already conducted survey data on said user computer". Applicant further argues that Griffin does not suggest a plurality of different display presentations. In response, the examiner disagrees. The claimed plurality of display presentations is met by the plurality of formats selectable by users (see the abstract, column 5, lines 5-20). Applicant further argues that Griffins does not show utilizing stored data in place of test data and referencing its

corresponding applet. In response, the claimed test data is merely used to create a test display presentation. Thus, in order to create a display presentation of desired presentation in a format selected by the user, clearly the system of Griffin has to utilize stored data in place of test data as claimed. Note that the claimed "referencing its corresponding applet" merely reads on the fact that any web page generated on a client machine based on an HTML template has a corresponding applet. Note also that the added limitation of "already conducted survey data" is not essential to the claimed method. Stored data includes any data depending on users' applications.

Applicant presents no further arguments. For all the reasons discussed above, rejection to claims 1-6,8, 10, 11 is maintained using the references of record.

Specification

5. The abstract of the disclosure is objected to because it refers to purported merits of the invention at lines 9-12. Correction is required. See MPEP § 608.01(b).

Claim Objections

6. Claims 6-9, 16, 31 are objected to because of the following informalities: "retrieving retrieved data" seems redundant. The examiner suggests that "retrieved" be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 2, 4, 6, 8, 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Baber et al (US 6,564,259).

Regarding claim 1, Baber discloses a system for generating display presentations on a user computer (see the abstract). Note the claimed communication network, web server (see Figure 4), HTML template (see Figures 16, 30), servlet engine (see Fig 30, column 15, lines 41-46). The claimed SParsemer merely interpretes said HTML template, thus is clearly present in the system of Baber. The claimed database server is met by elements 30, 46 (see Figure 4). Claim 1, lines 27-36 are met when Baber shows that the system generates web page with embedded links (see Figures 4-6).

Regarding claim 2, Baber discloses applets for graphs, tables and multimedia (see column 6, lines 17-31).

Regarding claim 4, Baber discloses said template including title information, descriptive data and Java Script code (see Figure 30).

Regarding claim 6, Baber discloses a method for generating a web page for display on a user computer (see the abstract). Note the step of receiving a web page request, executing a servlet corresponding to the request, retrieving data, executing commands in a template and serving the page (see Figures 1-4, columns 2-6).

Claim 8 corresponds to a system for claim 6, thus is rejected for the same reasons stated in claim 6 above.

Claim 25 essentially recites the same limitations of claim 1, thus is rejected for the same reasons stated in claim 1 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 10, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin et al (US 6,442,714).

Regarding claim 10, Griffin discloses a method for generating a plurality of display presentations on a user computer (see the abstract). Note the claimed HTML template (see column 5, lines 22- column 6, line 48), HTML test page (see Figures 1, 2). The claimed data-enhanced test page merely reads on the fact that any test page includes data for testing. Furthermore, any HTML template is clearly designed by a style programmer. Thus, claim 10 is met by the fact that the method of Griffin receives web page requests and generates web pages for test data as desired by users via appropriate HTML templates (see the whole document, Figures 1-7). Note that the claimed "referencing its corresponding applet" merely reads on the fact that any web page generated on a client machine based on an HTML template has a corresponding applet. Note also that the added limitation of "already conducted survey data" is not essential to the claimed method. Stored data includes any data depending on users' applications. Although Griffin does not specifically show that the desired display

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presentation includes already conducted survey data on said computer, it would have been obvious to one of ordinary skill in the art to include presenting any data stored on said computer including survey data depending on users' applications.

Claim 11 corresponds to a system for claim 10, thus is rejected for the same reasons stated in claim 10 above.

9. Claims 3, 5, 12, 13-18, 20-24, 26-29, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baber et al (US 6,564,259).

Regarding claim 3, Baber discloses the claimed template, sample and administrative and normative database (see Figures 10-30). Although Baber does not specifically show a survey data database, it would have been obvious to one of ordinary skill in the art to include any database as required by users' application.

Regarding claim 5, the claimed elements have to be present for the system of Baber to operate. Furthermore, although Baber does not specifically show issuing SQL statements as claimed, it would have been obvious to one of ordinary skill in the art to include such features in order to use a readily available tool to query relational databases.

Regarding claim 12, Baber discloses a method for generating a web page for display on a user computer (see the abstract). Note the step of receiving a web page request, executing a servlet corresponding to the request, retrieving data, executing commands in a template and serving the page (see Figures 1-4, columns 2-6). Although Baber does not specifically show presenting survey results, it would have been obvious

to one of ordinary skill in the art to use the method to present any type of data depending on users applications and requirements.

Regarding claim 15, although Baber does not specifically show the claimed sub databases, it would have been obvious to one of ordinary skill in the art to include any database required by users' applications.

Claim 16 essentially recites the limitations of claim 12 with the added limitations of embedding some portion of the retrieved data in said HTML template. Baber clearly teaches such embedding (see column 14, lines 10-20).

Regarding claims 13, 17, Baber discloses a graphing applet, table producing applet and multimedia applet (see column 6, lines 17-32).

Claims 14, 18 merely recite the main components of any HTML template.

Claim 20 essentially recites the same limitations of claim 8 with the added "presentation to display results of a previously conducted survey". Although Baber does not specifically show displaying results of a previously conducted survey, it would have been obvious to one of ordinary skill in the art to include the claimed features depending on customers' application.

Claims 21, 22, 23, 24 recite the limitations of claims 2, 4, 5, 3 respectively, thus are rejected for the same reasons stated in claims 2, 4, 5, 3 discussed above.

Claims 26, 27, 28 recite the limitations of claims 3, 4, 5 respectively, thus are rejected for the same reasons stated in claims 3, 4, 5 discussed above.

Claim 29 essentially recites the same limitations of claim 8 with the added limitation of presenting survey results. Although Baber does not specifically show

presenting survey results, it would have been obvious to one of ordinary skill in the art to include the claimed features depending on customers' application.

Claim 31 essentially recites the limitations of claim 8 with the added retrieved survey data. Although Baber does not specifically show the survey data, it would have been obvious to one of ordinary skill in the art to include the claimed features depending on users' application.

10. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neil et al (US 6,330,710).

Regarding claim 30, O'Neil discloses the claimed system for generating display presentations on a user computer including a communication network 210, web server 320, 600, servlet engine 330, HTML template 410 (see Figure 2). The claimed interpreter merely interprets said HTML template, thus has to be activated by the execution of said servlet as claimed. Furthermore, the claimed test data reads on the default text in editable fields of the HTML forms (see column 4, lines 60-67). Although O'Neil does not specifically show embedding previously collected survey data in said HTML template, it would have been obvious to one of ordinary skill in the art to include any data including survey data depending on users' application.

Allowable Subject Matter

11. Claims 7, 9 would be allowable if rewritten to overcome the objection noted above.

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12. Claim 19 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not disclose or make obvious a method and system for generating a display presentation on a user computer including retrieving an HTML template corresponding to an executed servlet, interpreting said template by retrieving survey data and normative data for generating custom display representation, stripping test data from the template, embedding some portion of retrieved data in the template wherein some further portion of some portion of said retrieved data replaces the stripped test data, in combination with all the limitations recited in claims 7, 9, 19.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hackney et al (US 2002/0065926) teach synchronizing and serving multimedia in a distributed network.

Yang et al (US 6,301,586) teach managing multimedia objects.

Barrick, Jr. et al (US 6,625,647) teach evaluating service to a user over the Internet.

Parasnis et al (US 2001/0044809) teach process of localizing objects in markup language documents.

Scimone et al (US 6,647,410) teach delivery and display of information from dynamic and static data sources.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen T. Le whose telephone number is 703-305-4134. The examiner can normally be reached on M-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

30 April 2004



UYEN LE
PRIMARY EXAMINER